

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

M. Amin Shokrollahi et al.

Application No.: 10/677,624

Patent No.: 6,090,383

Filed: October 1, 2003

Issued: June 21, 2005

For: SYSTEMATIC ENCODING AND
DECODING OF CHAIN
REACTION CODES

Confirmation No. 8941

Examiner: Lauture, Joseph J.

Technology Center/Art Unit: 2819

DECLARATION OF PHILIP H. ALBERT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Philip H. Albert, hereby declare the following to be true:

1. I am a partner at Townsend and Townsend and Crew LLP ("Townsend").
2. Townsend was tasked with preparing and filing the above-cited patent application.
3. Prior to payment of the issue fee on or about April 11, 2005, it is possible that the assignee of the present application may have had a licensing agreement with an entity that would not qualify as a small entity and the present application may or may not be covered by the terms of the licensing agreement.

4. Upon review of our files, there does not appear to have been any intent to deceive the U.S. Patent and Trademark Office as to the actual entity status of the assignee at the time of paying the issue fee or any definitive indication of events that would have caused the loss of entitlement to claim small entity status at the time of, or before, paying the issue fee.

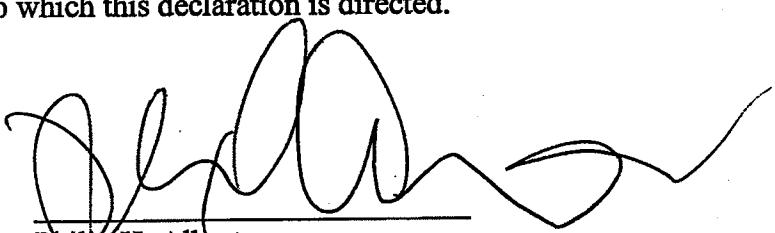
5. Prior to payment of the maintenance fee on September 18, 2008, the assignee of the present application had a licensing agreement with an entity that would not qualify as a small entity and the present application may or may not be covered by the terms of the licensing agreement.

6. Apparently due to a clerical error, it appears that the maintenance fee was paid claiming small entity status.

7. Upon review of our files, there does not appear to have been any intent to deceive the U.S. Patent and Trademark Office as to the actual entity status of the assignee at the time of paying the maintenance fee.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and the these statements are made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, and any patent issuing thereon, or any patent to which this declaration is directed.

Date: August 26, 2009



Philip H. Albert
Reg. No. 35,819

62187051 v1